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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/057,765 | 01/25/2002 | Susumu Takatsuka | 100809-00164(SCEY 19.380) | 9583 |
| 26304 . 7590 03/28/2007 KATTEN MUCHIN ROSENMAN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585 | | | EXAMINER RUTLEDGE, AMELIA L | |
| | | | ART UNIT 2176 | PAPER NUMBER |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 03/28/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/057,765

Applicant(s)

TAKATSUKA ET AL.

Examiner

Amelia Rutledge

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-13,16-25,29-37,40-48 and 50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4-13,16-25,29-37,40-48 and 50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 06/30/2006.
2. Claims 1, 4-13, 16-25, 29-37, 40-48, and 50 are pending in the case. Claims 1, 13, 25, 37, and 50 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1, 3-13, 15-25, 28-37, and 39-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota et al. (hereinafter "Kubota"), U.S. Patent No. 5,956,021 issued September 1999, in view of Scott, U.S. Patent No. 5,543,818, issued August 1996.**

Regarding amended independent claim 1, claim 1 cites: *An information entry method comprising the steps of: displaying each of a plurality of groups, which respectively contains a plurality of information grouped according to a predetermined rule, so that each information contained in each group is displayed;*

Kubota teaches a method of inputting information into a portable information processing device in which the keys may be divided into at least one group of related keys, displaying a representative key and the display may change the keys so that a row of other related keys are adjacent to the provisionally selected key (Col. 4, l. 14-22). While

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Kubota does not explicitly teach that each item of information contained in each group is displayed, Scott teaches a method for entering text to a computer system using an input device having a small number of keys (Abstract; Fig. 1), where character information is displayed in groups where all characters in the group are displayed (Col. 2, l. 1-10), and the user may select a character from the group of characters.

Claim 1 also cites: *making available a group selection mode allowing selection of the displayed group and a information selection mode allowing selection of information contained in the group;*

Kubota teaches that in the initial screen of the display device, only representative keys are displayed, allowing the display of Japanese, English, and numeral keys on the same screen so that the operator does not have to switch keyboards and allowing selections from the displayed groups. Kubota teaches that a user may select a key from a group of related keys by dragging the pen outside the representative key (Col. 4, l. 14-22), allowing selection of information contained in the group.

Claim 1 also cites: *displaying a group selected in the group selection mode so as to be distinguishable from other groups;*

Kubota teaches that the keys are divided into groups of related keys (Col. 3, l. 57-65).

Claim 1 also cites: *allowing the group selected in the group selection mode to transit to the information selection mode; displaying an information selected from the group in the information selection mode so as to be distinguishable from other information;*

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While Kubota teaches that a user can select desired keys from groups of related keys, Kubota does not explicitly teach a transit from a group selected in group selection mode to information selection mode, however, Scott teaches allowing group selection mode to transit to information selection mode, allowing the user to select a character from the group and displaying the selected character with a distinctive color or brightness to be distinguished from the other characters (Col. 4, l. 4-45).

Claim 1 also cites: *setting the information selected in the information selection mode as a definable information; and defining an entry of the information when a predetermined definitive instruction is issued in respect of the definable information; wherein each group is displayed so that a predetermined information contained therein is displayed in an enlarged manner as compared with the other information in the group selection mode; and wherein the predetermined information is defined beforehand.*

Kubota teaches that the initial display device may display predetermined keys larger than other keys and the display change device may expand the provisionally selected key (Col. 3, l. 13-18; especially l. 11-15).

Claim 1 also cites: *and wherein each information contained in a group selected in the group selection mode is displayed in an enlarged manner as compared with the information contained in the other groups.* Kubota also teaches displaying other keys in a group display in an enlarged manner in response to user input (col. 12, l. 24-54).

Kubota teaches selection and entry of the character according to a predetermined instruction. Kubota teaches that each information contained in a group selected in the group selection mode is displayed in an enlarged manner as compared with the

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information contained in the other groups (col. 11, l. 1-16; col.); Fig. 7, because Kubota teaches a control key area 504 (Fig. 7) and conversion candidate display area 505 (Fig. 7), which display the selected information of the group in an enlarged manner.

While Kubota does not explicitly teach that the information selected in the information selection mode is definable information, Scott teaches that a user can set the information selected in the information selection mode as definable information, i.e., the input device includes a shift key and different character selection menus are displayed in response to actuation of the shift key, such as lower case, or upper case characters (Col. 2, l. 22-29).

Both the inventions are directed toward text input and information entry. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of inputting information into a portable information processing device taught by Kubota with the reduced keystroke input grouping of Scott, since the reduced keystroke character grouping method disclosed by Scott may be applied to any group of characters and input device keys, including pictographic symbols of Chinese and Japanese languages (col. 5, l. 38-45); so that the user would have the benefit of using the grouped characters for easier text and information entry using fewer strokes (Kubota Col. 2, l. 23-28) and/or keystrokes or button actuations (Scott, Col. 1, l. 10-22), thus allowing for faster and easier character entry.

Regarding dependent claim 4, Kubota teaches that a provisionally selected key is expanded leftward and upward (Col. 3, l. 23-24).

Regarding dependent claim 5, Kubota teaches an arrangement and grouping of keys on the display area, where the user may select a key from the group according to a predetermined selection instruction (Fig. 7, Fig. 16, Col. 15, l. 48-63). Kubota also teaches that during the selection process, when the pen touches the screen and the elapsed time is longer than the predetermined sample time period, interrupt processing is generated and key code designation information is incremented (Col. 11, l. 58-Col. 12, l. 10). Thus the selection processing is completed according to a predetermined set of selection instructions.

Regarding dependent claim 6, Kubota teaches an arrangement and grouping of keys on the display area, where the user may select a key from the group according to a predetermined selection instruction (Fig. 7, Fig. 16, Col. 15, l. 48-63). Kubota also teaches that during the selection process, when the pen touches the screen and the elapsed time is longer than the predetermined sample time period, interrupt processing is generated and key code designation information is incremented (Col. 11, l. 58-Col. 12, l. 10). Thus the selection processing is completed according to a predetermined set of selection instructions.

Regarding dependent claim 7, Kubota teaches an arrangement and grouping of keys on the display area, where the user may select a key from the group and representative key, according to a predefined selection instruction (Fig. 7, Fig. 16, Col.

15, l. 48-63). Kubota also teaches that during the selection process, when the pen touches the screen and the elapsed time is longer than the predetermined sample time period, interrupt processing is generated and key code designation information is incremented (Col. 11, l. 58-Col. 12, l. 10). Thus the selection processing changes state according to a predetermined set of selection instructions.

Regarding dependent claims 8-10, Kubota teaches the ordered (i.e., predetermined) storage of characters where order of character codes is determined by their attributes, including voiced sound and p-sound katakana (Col. 7, l. 3-19, Col. 9, l. 1-7). Further, there is a text edit area for kana-kanji conversion. Kubota teaches the cycled selection mode in which a user can select the special characters (Col. 11, l. 58-Col. 12, l. 33). Kubota also teaches means of changing the key display on the screen in response to the user's key input selection (Claim 1), compare to Claim 9, *adding a predetermined associate information to the definable information*.

Regarding dependent claim 11, Kubota teaches that display position and character sizes are determined by the values stored in the figure information record, and Kubota teaches that when the characters are cycled by elapsed time the user has the option of selecting a lowercase character (Col. 11, l. 39-Col. 12, l. 33).

Regarding dependent claim 12, while Kubota does not explicitly teach changing the text into lower case, Scott teaches that a user can set the information

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selected in the information selection mode as definable information, i.e., the input device includes a shift key and different character selection menus are displayed in response to actuation of the shift key, such as lower case, or upper case characters (Col. 2, . 22-29).

Both the inventions are directed toward text input and information entry. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of inputting information into a portable information processing device taught by Kubota with the reduced keystroke input grouping of Scott, so that the user would have the benefit of easier text and information entry using fewer strokes (Kubota Col. 2, l. 23-28) and/or keystrokes or button actuations (Scott, Col. 1, l. 10-22).

Independent claim 13 cites: *An information entry device comprising: a storage means for storing a plurality of information which is grouped to a plurality of groups according to a predetermined rule; and*

Kubota teaches a character code information storage unit and display storage units where information is grouped and ordered according to predetermined rules (Col. 6, l. 41-Col. 7, l. 50).

Claim 13 also cites: *a control means for controlling display of a group on a monitor screen, and for controlling, based on a display position on the monitor screen and a predetermined instruction entry, at least an operation in a group selection mode allowing selection of the displayed group and an operation in an information selection mode allowing selection of an information contained in the group; wherein the control*

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means displays each of a plurality of groups so that each information contained in each group is displayed; displays a group selected in the group selection mode so as to be distinguishable from other groups; allows transition of the group selected in the group selection mode into the information selection mode; displays an information selected from the group in the information selection mode so as to be distinguishable from other information;

While Kubota teaches that a user can select desired keys from groups of related keys, Kubota does not explicitly teach a transition from a group selected in group selection mode to information selection mode, however, Scott teaches a method for entering text to a computer system using an input device having a small number of keys (Abstract; Fig. 1), where character information is displayed in groups where all characters in the group are displayed (Col. 2, l. 1-10), and after selecting a group, the user may select a character from the group of characters (Col. 5, l. 10-28).

Claim 13 also cites: *sets the information selected in the information selection mode as a definable information; and defines an entry of the information when a predetermined definitive instruction is issued in respect of the definable information; and defines an entry of the information when a predetermined definitive instruction is issued in respect of the definable information;*

While Kubota does not explicitly teach that the information selected in the information selection mode is set as definable information, Scott teaches that a user can set the information selected in the information selection mode as definable information, i.e., the input device includes a shift key and different character selection menus are displayed

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in response to actuation of the shift key, such as lower case, or upper case characters (Col. 2, l. 22-29).

Claim 13 also cites: *wherein the control means displays each group so that a predetermined information contained therein is displayed in an enlarged manner as compared with the other information in the group selection mode; and wherein the predetermined information is defined beforehand.*

Kubota teaches that the initial display device may display predetermined keys larger than other keys and the display change device may expand the provisionally selected key (Col. 3, l. 13-18). Kubota teaches that the initial display device may display predetermined keys larger than other keys and the display change device may expand the provisionally selected key (Col. 3, l. 13-18; especially l. 11-15).

Claim 13 also cites: *and wherein the control means displays each information contained in a group selected in the group selection mode in an enlarged manner as compared with the information contained in the other groups.* Kubota also teaches displaying other keys in a group display in an enlarged manner in response to user input (col. 12, l. 24-54). Kubota teaches selection and entry of the character according to a predetermined instruction. Kubota teaches that each information contained in a group selected in the group selection mode is displayed in an enlarged manner as compared with the information contained in the other groups (col. 11, l. 1-16; col.); Fig. 7, because Kubota teaches a control key area 504 (Fig. 7) and conversion candidate display area 505 (Fig. 7), which display the selected information of the group in an enlarged manner.

Both the inventions are directed toward text input and information entry. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of inputting information into a portable information processing device taught by Kubota with the reduced keystroke input grouping of Scott, since the reduced keystroke character grouping method disclosed by Scott may be applied to any group of characters and input device keys, including pictographic symbols of Chinese and Japanese languages (col. 5, l. 38-45); so that the user would have the benefit of using the grouped characters for easier text and information entry using fewer strokes (Kubota Col. 2, l. 23-28) and/or keystrokes or button actuations (Scott, Col. 1, l. 10-22), thus allowing for faster and easier character entry.

Regarding dependent claims 16-24, claims 15-24 incorporate substantially similar subject matter as claimed in claims 3-12, and are rejected along the same rationale.

Regarding independent claim 25, claim 25 reflects the computer-readable recording medium having recorded therein an information entry program to be executed on a computer, used for implementing the information entry method as claimed in claim 1, and is rejected along the same rationale.

Regarding dependent claims 29-36, claims 28-36 incorporate substantially similar subject matter as claimed in claims 4-12, and are rejected along the same rationale.

Regarding independent claim 37, claim 37 reflects the program execution device for executing an information entry program, used for implementing the information entry method as claimed in claim 1, and is rejected along the same rationale.

Regarding dependent claims 40-48, claims 39-48 incorporate substantially similar subject matter as claimed in claims 3-12, and are rejected along the same rationale.

Regarding independent claim 50, Kubota teaches an information entry method comprising: displaying a plurality of information elements, the plurality of information elements being divided into groups according to a predetermined rule, each group including a representative information element; since Kubota teaches a method of inputting information into a portable information processing device in which the keys may be divided into at least one group of related keys, displaying a representative key and the display may change the keys so that a row of other related keys are adjacent to the provisionally selected key (Col. 4, l. 14-22). Kubota teaches a representative key for each group, Fig. 7. Kubota teaches providing a group selection mode adapted to

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enable selection of a selected group by selecting the representative information element of the selected group; because Kubota teaches a method of inputting information into a portable information processing device in which the keys may be divided into at least one group of related keys, displaying a representative key and the display may change the keys so that a row of other related keys are adjacent to the provisionally selected key (Col. 4, l. 14-22).

Kubota teaches displaying the information elements of the selected group in an enlarged manner with respect to the information elements not in the selected group; Kubota teaches that the initial display device may display predetermined keys larger than other keys and the display change device may expand the provisionally selected key (Col. 3, l. 13-18; especially l. 11-15). Kubota teaches providing an information selection mode adapted to enable selection of a selected information element contained in the selected group; displaying a selected information element from the selected group in the information selection mode in a distinguishing manner with respect to the information elements in the selected group not being selected; since Kubota teaches that in the initial screen of the display device, only representative keys are displayed, allowing the display of Japanese, English, and numeral keys on the same screen so that the operator does not have to switch keyboards and allowing selections from the displayed groups. Kubota teaches that a user may select a key from a group of related keys by dragging the pen outside the representative key (Col. 4, l. 14-22), allowing selection of information contained in the group.

While Kubota does not explicitly teach that the information selected in the information selection mode is definable information, Scott teaches that a user can set the information selected in the information selection mode as definable information, i.e., the input device includes a shift key and different character selection menus are displayed in response to actuation of the shift key, such as lower case, or upper case characters (Col. 2, l. 22-29), compare to entering the selected information element as a definable information element when a predetermined definitive instruction is issued with respect to the definable information.

Both the inventions are directed toward text input and information entry. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the method of inputting information into a portable information processing device taught by Kubota with the reduced keystroke input grouping of Scott, since the reduced keystroke character grouping method disclosed by Scott may be applied to any group of characters and input device keys, including pictographic symbols of Chinese and Japanese languages (col. 5, l. 38-45); so that the user would have the benefit of using the grouped characters for easier text and information entry using fewer strokes (Kubota Col. 2, l. 23-28) and/or keystrokes or button actuations (Scott, Col. 1, l. 10-22), thus allowing for faster and easier character entry.

Response to Arguments

Applicant's arguments filed 01/11/2007 have been fully considered but they are not persuasive. In response to applicant's arguments that the combination of Kubota

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and Scott does not disclose the newly claimed limitations (Remarks, p. 20-23), Kubota teaches that the initial display device may display predetermined keys larger than other keys and the display change device may expand the provisionally selected key (Col. 3, l. 13-18). Kubota teaches that the initial display device may display predetermined keys larger than other keys and the display change device may expand the provisionally selected key (Col. 3, l. 13-18; especially l. 11-15). Kubota also teaches displaying other keys in a group display in an enlarged manner in response to user input (col. 12, l. 24-54).

Therefore, Kubota teaches that a group may be represented by one key, and may also be displayed in an enlarged and/or expanded manner as compared with the other groups when selected in the group selection mode. MPEP 2106 II C states that claims should be given their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim should not be read into the claim. E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364, 1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily). In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969). See also In re Zletz, 893 F.2d 319, 321-22, 13 USPQ2d 1320, 1322 (Fed. Cir. 1989) ("During patent examination the pending claims must be interpreted as broadly as their terms reasonably allow.... The reason is simply that during patent prosecution when claims can be amended, ambiguities should be recognized, scope and breadth of

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language explored, and clarification imposed.... An essential purpose of patent examination is to fashion claims that are precise, clear, correct, and unambiguous. Only in this way can uncertainties of claim scope be removed, as much as possible, during the administrative process.").

In this case, it is the examiner's opinion that the claims contain several ambiguities, for example the claims are ambiguous regarding the groups, the group selection mode, and the information contained in each group, and would require clarification in order to overcome the prior art of record. It is the examiner's opinion that given the broadest reasonable interpretation of the claims in light of the specification, that the claim rejections should be maintained.

5. Further, applicant's arguments solely address the Kubota patent and do not address the portions of the claim rejections which rely on Scott. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

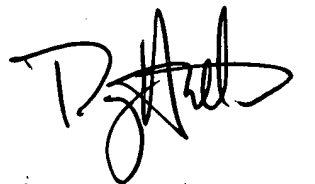
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amelia Rutledge whose telephone number is 571-272-7508. The examiner can normally be reached on Monday - Friday 9:30 - 6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AR



Doug Hutton
Primary Examiner
Technology Center 2100